

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**JONATHAN LOVE; SHERI McWILLIAMS;
TRACY KEEN; JEREMY POPE; and
ROBIN LOVE**

PLAINTIFFS

v.

No. 5:13-cv-292-DPM

**RETZER RESOURCES, INC.; THE RETZER GROUP,
INC.; MICHAEL L. RETZER, Individually, and in his
Capacity as an Owner, Officer and Manager of Retzer
Resources, Inc. and the Retzer Group, Inc.; and
RETZER LLC**

DEFENDANTS

ORDER

A. For the reasons stated on the record at the 20 January 2016 pretrial, plaintiffs' motion in limine, No. 168, is granted in part and denied in part.

1. Plaintiffs' lack of records is admissible. But the Court will instruct the jury to consider the evidence only on damages.
2. Evidence that plaintiffs didn't complain about their pay is admissible. But the Court will instruct the jury that plaintiffs aren't required to complain, and to consider the evidence only on damages. (The Court will also consider it on liquidated damages.)
3. Plaintiffs' litigation history is excluded. But the Court will reconsider on particulars if defendants make a sufficient showing at the bench.
4. Evidence about decertification is excluded by agreement.
5. Evidence related to Jonathan Love's arrests and prior convictions is excluded. Evidence related to Tracy Keen's arrests and prior

convictions is excluded except for her guilty plea to tampering with physical evidence.

6. Evidence related to other employers is excluded. But the Court will reconsider on particulars if defendants make a sufficient showing at the bench.


B. The Court orders the following pretrial deadlines.

1. 25 January 2016 Parties' responses to proposed jury instructions due.
2. 27 January 2016 Email to chambers any suggested voir dire areas.
3. 3 February 2016 Exchange final exhibit and witness lists. Deliver the originals, one electronic copy and one hard copy to the Court.

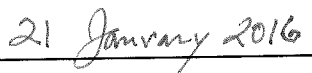
The Court forgot that it does have one other obligation the week of trial: a hearing on Friday, 12 February 2016 at 1:30 p.m. in Little Rock.

C. Jeremy Pope's claims are dismissed without prejudice. And defendants Retzer Resources, Inc. and The Retzer Group, Inc. are dismissed without prejudice too.

So Ordered.



D.P. Marshall Jr.
United States District Judge



21 January 2016